

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

LINDSEY R. PATRICK,

Plaintiff,

vs.

CITY OF SARATOGA SPRINGS, and
LINDSAY JARVIS, Saratoga Springs City
Prosecutor,

Defendant.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:10-CV-00434
Judge Dee Benson

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Brooke Wells on May 25, 2010, recommending that Mr. Patrick's Complaint be dismissed and that his motion for stay be denied or deemed moot. The parties were notified of their right to file objections to the Report and Recommendation within ten (10) days after receiving it. Neither party has filed such an objection.

Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the Court ADOPTS the Report and Recommendation and enters the following Order:

- (1) Plaintiff's Complaint is DISMISSED; and
- (2) Plaintiff's Expedited Motion for stay is deemed MOOT given that the alleged May

21, 2010 trial date has passed. Moreover, given that there is nothing on the docket to indicate that the bench trial to which plaintiff refers is before the Utah Federal District Court, Plaintiff's motion is DENIED.

Dated this 23rd day of June, 2010.



Dee Benson
United States District Judge